

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 11/22/2024

RUBY FREEMAN and
WANDREA' MOSS,

Plaintiffs,

-v-

RUDOLPH W. GIULIANI,

Defendant.

24-cv-06563 (LJL)

MEMORANDUM &
ORDER

LEWIS J. LIMAN, United States District Judge:

Plaintiffs Ruby Freeman and Wandrea' Moss move, pursuant to Local Rule 7.1(d), Federal Rules of Civil Procedure 34 and 37, Paragraph 1(C) of the Court's Individual Rules and Practices, and the Court's orders dated October 28, 2024, Dkt. No. 53, and November 4, 2024, Dkt. No. 59, to compel Defendant to make full and complete productions in response to Plaintiffs' First Set of Requests for Production of Documents ("First RFPs"). Dkt. No. 93. The motion is granted.

By order of October 28, 2024, the Court directed that "all discovery requests be responded to within 14 days of service, including responses and objections as well as document production pursuant to Fed. R. Civ. P. 34." Dkt. No. 53. On November 1, 2024, Plaintiffs served their First RFPs. Dkt. No. 93-1, 93-2. Accordingly, Defendant was required by court order to respond by November 15, 2024. Defendant has violated the court order and has not responded to the First RFPs.

Plaintiffs filed this motion on November 18, 2024. Dkt. No. 93. That same day, the Court ordered Defendant to respond by November 20, 2024, as set forth for all parties in the

Court's Individual Practices in Civil Cases. Dkt. No. 94. The Court also warned that, in the absence of a timely response, the motion would be considered unopposed. *Id.* Defendant did not file any response.


The failure to timely respond to a document request waives all objections. *Robert Barbera v. Grailed, LLC*, 2024 WL 4836616, at *1 (S.D.N.Y. Nov. 20, 2024); *Cohalan v. Genie Indus., Inc.*, 276 F.R.D. 161, 163 (S.D.N.Y. 2011) (collecting cases). The Court's order was clear and unambiguous. Defendant is in violation of it.

Defendant shall comply with the First RFPs by no later than November 26, 2024, by producing serving responses and all documents responsive to the First RFPs in his possession, custody or control, or show cause why he should not be held in contempt for violation of the Court's order of October 28, 2024. Violation of this Order, unless modified, may also be punishable by contempt.

The Clerk of Court is respectfully directed to close the motion at Dkt. No. 93.

SO ORDERED.

Dated: November 22, 2024
New York, New York


LEWIS J. LIMAN
United States District Judge